

Brexit Overview

Information Sheet

March 2019

From the date that the United Kingdom leave the EU, they will become a 'third country'. For products placed on the Irish market after this date, EU legislation will apply and Irish companies may have new or additional obligations arising from the UK departure. The Health and Safety Authority is a Competent Authority for a range of EU Regulations and Directives which govern the import, use and placing on the market of a range of products from chemicals to machinery to pressure equipment and lifts. We also provide the Irish National Accreditation Board (INAB) which is responsible for accreditation of conformity assessment bodies required under specific EU laws.

Chemicals

Irish companies who plan to continue to source chemicals from the UK and Northern Ireland may become EU importers. As a result, they may also have to take on the responsibility for the registration, authorisation, notification and other essential safety information requirements for these chemical products. Such obligations arise from a number of specific EU Regulations; the REACH Regulation (Registration, Evaluation and Authorisation of Chemicals), the CLP Regulation (Classification, Labelling and Packaging of Chemicals), the Detergent Regulations and the Rotterdam Regulation.



Machinery

Irish companies importing machinery from the UK after Brexit will be affected as they are making it available on the EU market for the first time. They will be responsible for ensuring the appropriate conformity assessment is carried out by the manufacturer in compliance with the safety requirements in the Machinery Directive (2006/42/EC).



Transportable Pressure Equipment (TPE)

Irish companies using UK notified bodies to carry out inspections of TPE will have to source alternative bodies from within the EU. In addition, Irish companies who are currently distributors of TPE sourced in the UK will be affected in that they will become importers and thus their obligations under the TPE Directive (2010/35/EU) will change.

Notified bodies

After Brexit, UK based notified bodies will no longer be recognised. Irish companies using UK-based notified bodies to carry out conformity assessments and inspections will therefore have to source and use a notified body from within the EU. The Irish National Accreditation Board (INAB) provides accreditation to applicant conformity assessment bodies (CABs) which test, certify and inspect products/services. Apart from meeting the requirements of accreditation and notifying authorities, CABs must demonstrate they are permanently established in Ireland.

Support and advice:

The HSA is providing support to Irish businesses. Companies with particular concerns or questions can:

- Visit our Brexit website - www.hsa.ie/Brexit or
- Contact our Helpdesk - wcu@hsa.ie

Important!

- Products imported from the UK from the date when the UK leaves the EU, need to be EU compliant.
- Irish companies need to know the full supply chain for all their products (for example machinery, chemicals) and how it is linked to the UK or NI, including via distributors.
- Unless Irish companies can source their product from another EU supplier, the Irish company may become an EU importer after Brexit, with additional legal responsibility for compliance of the product with EU law.
- After Brexit, Irish companies will no longer be able to rely on notified bodies based in the UK to undertake 3rd party conformity assessments required under relevant EU law. They will need to source a notified body legally designated to carry out conformity assessments in the EU27.

Information on Brexit impacts is also available from:

Getting Ireland Brexit Ready -

<https://www.dfa.ie/brexit/getting-ireland-brexit-ready/>

Department of Business, Enterprise and Innovation -

<https://dbei.gov.ie/en/What-We-Do/EU-Internal-Market/Brexit/>

Enterprise Ireland -

<https://www.prepareforbrexit.com/>

InterTrade Ireland -

<https://intertradeireland.com/about-the-brexit-advisory-service/brexit-general-information/brexit-advisory-service/>

Revenue Commissioners -

<https://www.revenue.ie/en/customs-traders-and-agents/brexit/index.aspx>

National Standards Association of Ireland (NSAI) -

<https://www.n sai.ie/brexit/>

European Chemicals Agency -

<https://echa.europa.eu/uk-impact-on-echa-background>

European Commission -

https://ec.europa.eu/info/brexit/brexit-preparedness_en



Further Information and Guidance:

Visit our website at www.hsa.ie, telephone our contact centre on **1890 289 389** or email wcu@hsa.ie

Use BeSMART, our free online risk assessment tool at www.besmart.ie

Check out our range of free online courses at www.hsalearning.ie

